

REMARKS

The present amendment is in response to the Office Action dated January 18, 2008. Claims 24, 27-39, 41, 43, and 45-55 are now present in this case. Claims 24, 37 and 51 are currently amended.

Rejections under § 103(a) – Wicks / Segur

Claims 24, 27-39, 41, 43, 45-51, and 53-55 stand rejected under 35 U.S.C. § 103(a) as unpatentable by U.S. Patent No. 5,796,394 to Wicks combined with U.S. Patent No. 6,212,550 to Segur. The applicants respectfully traverse this rejection and request reconsideration.

Claim 24

Claim 24 has been amended. Support for the amendments is found in the Instant Application in at least Fig. 1.

The applicant believes that claim 24 as amended is patentable over the cited references because these references do not teach, alone or in combination, at least one element of amended claim 24. Specifically, amended claim 24 recites "[a] mobile wireless communication device configured to communicate with a wireless infrastructure, comprising:... a processor...configured to determine, based on the at least one input message-classification rule, classification information for the plurality of messages of the first format and the plurality of messages of the second format..."

Amended claim 24 now makes clear that all elements recited in claim 24 are found in the mobile wireless device, not in the base station. Wicks discloses a "base station 108 that communicates with various devices....A preferred mode of communication is via handheld communicators...which conform to the CT-2 standard currently in use for digital portable telephones..." (Wicks, Fig. 1; Column 4, Lines 36-40.) The Office Action finds the processor element recited in claim 24 disclosed in the base station of Wicks. (Office Action, page 3.) However, Wicks does not teach or suggest that the processor as recited in claim 24 that is part of a mobile wireless device instead of the base station.

Segur does not cure this deficiency. Segur teaches "[a] client-server 10 [that] receives messages from a variety of sources in a variety of communication

formats (plurality of data formats)." (Segur, Column 1 Line 67- Column 2, Line 2.) "When a subscriber desires access to his messages, he transmits a retrieval query from any of a plurality of message receiving devices 26-34 to the client-server 10. The message receiving devices 26-34 include, PDAs 26, pagers 28, cellular phones (cellular voice, cellular voice data) 30, portable computers 32, and fax machines 34." (Segur, Column 2, Lines 12-18.) Segur further teaches that "[t]he server then sends a summary of the stored messages (plurality of stored messages), including the number of the plurality of stored messages and an indicator of the sender to the client at step 174. The summary might include priority codes for each message." (Segur, Column 3, Lines 39-44.) The Office Action considers this last quoted section of Segur to disclose the existence of "a message classification rule" recited by claim 24. (Office Action, page 4.) However, Segur does not teach or suggest the existence of "a message classification rule" that is part of or used by a "processor" of the above mentioned cellular phone or any of the other above mentioned receiving devices. Servers are generally assumed to be stationary, not mobile wireless devices and Segur does not suggest otherwise. Thus Segur does not teach or suggest a mobile wireless device with "a processor" as recited in claim 24. For at least these reasons, the applicant believes this rejection has been overcome.

Claims 27-36 and 45-50

Claims 27-36 and 45-50 are dependent on claim 24. The applicant believes the rejections of these claims are overcome for at least the same reasons as given to overcome the rejection of claim 24.

Claim 37

Claim 37 has been amended. Support for the amendments is found in the Instant Application in at least Fig. 1.

The applicant believes that claim 37 as amended is patentable over the cited references because these references do not teach, alone or in combination, at least one element of amended claim 37. Specifically, amended claim 37 recites "[a] mobile network device for communicating with a wireless infrastructure, comprising: a processor....configured to evaluate the received messages based on the at least one rule

set input into the memory and to produce associated message classifications based on the evaluations."

Amended claim 37 now makes clear that all elements recited in claim 37 are found in the mobile wireless device, not in the base station. As discussed above regarding claim 24, Wicks does not teach or suggest that "a processor" as recited in claim 37 that is part of a mobile wireless device instead of the base station. Segur also does not teach or suggest a mobile wireless device with "a processor" as recited in claim 24. For at least these reasons, the applicant believes this rejection has been overcome.

Claims 39, 40, 41 and 43

Claims 39, 40, 41 and 43 are dependent on claim 37. The applicant believes the rejections of these claims are overcome for at least the same reasons as given to overcome the rejection of claim 37.

Claim 51

Claim 51 has been amended. Support for the amendments is found in the Instant Application in at least Fig. 1.

The applicant believes that claim 51 as amended is patentable over the cited references because these references do not teach, alone or in combination, at least one element of amended claim 51. Specifically, amended claim 51 recites "[a] mobile wireless device in wireless communication with a wireless infrastructure, the wireless device comprising: a processor ...configured, with respect to a message received, ... to recall the at least one message-classification rule from the database memory and to determine, based on the at least one message-classification rule, classification information pertaining to the message"

Amended claim 51 now makes clear that all elements recited in claim 51 are found in the mobile wireless device, not in the base station. As discussed above regarding claim 51, Wicks does not teach or suggest that "a processor" as recited in claim 51 that is part of a mobile wireless device instead of the base station. Segur also does not teach or suggest a mobile wireless device with "a processor" as recited in

claim 51. For at least these reasons, the applicant believes this rejection has been overcome.

Claims 52-55

Claims 52-55 are dependent on claim 51. The applicant believes the rejections of these claims are overcome for at least the same reasons as given to overcome the rejection of claim 51.

Objection – Dependent on rejected base claim

Claim 52

Claim 52 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicant has amended claim 52 to be in independent form. Claim 52 is now in condition for allowance.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. The applicants have made a good faith effort to place all claims in condition for allowance. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 757-8203.

Respectfully submitted,
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